IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.SWAROOP REDDY

WRIT PETITION NO. 25198 OF 2005

Dated: September 29, 2006

Between:

G.Sravan Kumar

Petitioner

AND

Union of India, Secretary,
Rep. By Ministry of Labour,
Cultural Secretariat,
New Delhi and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.SWAROOP REDDY

WRIT PETITION No.25198 OF 2005

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

Heard both sides.

2. This is a taken up writ petition basing upon a letter, dated 17.11.2005, addressed by the petitioner, Mr. G.Sravan Kumar, H.No.12-11-702, Street No.1, Warasiguda, Secunderabad–61, to

the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, complaining that some attempts are being made by Union Labour Ministry to hand over an extent of Ac.3.5 acres of land belonging to the Advanced Training Institute, Vidyanagar, Hyderabad, to Bhaghwan Satya Sai Seva Trust, through the Government of Andhra Pradesh, at highly subsidized rates. It is further prayed that this court may stop such transaction of land to any Organisation, Department, Public or Private, in the interest of public.

3. In response to the notices served on the respondents, counter-affidavits have been filed by the respondent Nos.1 to 3, 7 and 8.

4. A common counter-affidavit has been filed by the respondent Nos.1 and 2, sworn by one Mr. V.M. Ram, son of V.Bhushnam, Director, Advanced Training Institute, Vidyanagar, Hyderabad, stating that upon request made by Sri Satya Sai Seva Organisations, Hyderabad, the Government of Andhra Pradesh, vide Chief Minister's D.O. Letter, dated 20.6.2005, approached the Union Minister of Labour & Employment, for alienation of land to an extent of 14,800 Sq. Mts. in the campus of Advanced Training Institute, Hyderabad, in favour of Sri Satya Sai Seva Organisations, Andhra Pradesh, for setting up Satya Sai Nilayam at Hyderabad. It is further stated that the respondent No.1 – Union of India having considered the request of the Government of Andhra Pradesh informed the Government of Andhra Pradesh vide D.O. Letter No.DGET-D-11028/(14)/2005-TU, dated 26.7.2005, that the Ministry of Labour & Employment may alienate the said extent, as requested, which is located in the campus of Advanced Training Institute, subject to certain conditions. In all, there are four conditions. Since all these conditions are not relevant for the present, they need not be referred to. However, one significant condition, as can be seen from the counter-affidavit, is to the effect that in order to accept the request of Sri Satya Sai Seva Organizations, Andhra Pradesh, Hyderabad, the Government of Andhra Pradesh shall allot three times the area, in Madhapur, in lieu of the land taken from the Advanced Training Institute Campus

and consequently the land that was offered by the Government of Andhra Pradesh, in lieu thereof, is located at a place in S.No.71 of Manikonda, Jagir village. The site was also inspected by a Special Team, Government of Andhra Pradesh, and gave a detailed report. Details of the report are also incorporated in the counter-affidavit. Again we feel that they are not relevant for the present purpose. Subsequently, this Court while entertaining the present writ petition, made the following interim order:

> *"…On 28.1.2005, this court granted status quo to be maintained obtaining as on that date. The record goes to show that the letter dated 17.11.2005 addressed by G.Sravan Kumar to this court has been taken by this court as a taken up case and in the said letter, it is stated that nearly ten institutes have been located in an area of Ac.3.05 of land belonging to the Advanced Training Institute, Hyderabad.*
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> *According to the petitioner, there is a proposal to handover the said land by the Government to Bhagwan Satya Sai Seva Trust, which is a private Hindu religious organization for the purpose of construction of Bhajan Halls and Guest House.*
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> *In view of the fact that the letter goes to show that it is only a proposal to hand over Ac.3.05 acres of land to the trust in question, we make it clear that in case of any proposal as referred to above, the State Government 4th respondent may allot some other place in lieu of the present land to the said Trust in consultation with the Bhagwan Satya Sai Seva Trust pending further orders. Liberty is granted to file counter…"*

5. It is further stated that pursuant to the abovementioned interim order, the State Government has taken up the cause of Sri Satya Sai Seva Organisation.

6. The counter-affidavits, filed by the respondent Nos.3, 7 and 8, are not very much relevant. However, the counter-affidavit filed by the respondent No.7 -- the Manager, Sri Satya Sai Seva Trust, Andhra Pradesh, states that the nomenclature of this

respondent had been wrongly mentioned in the writ petition. In fact, it ought to have been described as Convener, Sri Satya Sai Trust, Andhra Pradesh, Andhra Pradesh, Opposite Sivam, Vidyanagar, Hyderabad, inasmuch as there is no address like Bhagwan Sri Satya Sai Seva Trust, Hyderabad, represented by the Manager, at all. Therefore, for the purpose of present writ petition, we treat the respondent No.7 as the Convener, Sri Satya Sai Trust, Andhra Pradesh, Opposite to Sivam, Vidyanagar, Hyderabad.

7. The counter-affidavit filed by the respondent No.7 represented by one Mr. A. Ranga Rao son of late A.Janaki Rama Rao, in the capacity of Convener of Sri Satya Sai Trust, A.P., *inter alia*, states that the description of the Trust represented by the Manager, was erroneous. It is further stated that "*there is however a Public Charitable Trust founded by Bhagawan Sri Satya Sai Baba and which is duly registered and the same is known as Sri Satya Sai Trust, Andhra Pradesh*". Hence, it is stated that the affidavit of the respondent No. is filed on behalf of Sri Satya Sai Trust, Andhra Pradesh, only.

8. It is further stated that Sri Satya Sai Trust, Andhra Pradesh, has been carrying on public charitable activities and Sri Satya Sai Seva Organisation functions under the guidance of Bhagwan Satya Sai Baba. The main object of the organization is to serve fellow beings as a means of spiritual sadhana. Of course, the said organization is rendering **yeomen** services to all the sections of society without any kind of discrimination.

9. It is further stated that the respondent No.8, which is a congregation of several service units in Hyderabad and also hundreds of units all over the State, made an application for allotment of land in the Advanced Training Institute campus, which has been considered by the State Government and the Central Government, as well. It is further stated that, in case, Sri Satya Sai Seva Trust, which is a registered body, is found to be suitable and eligible for allotment of such land, the said Trust i.e. respondent No.7 is ready and willing to accept the same. It is

further conspicuously stated that Sri Satya Sai Organisation is not a registered body, in the eye of law, and it is Sri Satya Sai Trust, Andhra Pradesh, which is a registered and recognized body.

10. It is known that it is prerogative of the State Government to allot any land for a noble and public cause to an organization like Sri Satya Sai Trust, Andhra Pradesh, but, however, subject to the conditions imposed by the concerned Department of the Union Government. It appears, already certain conditions have been imposed and since there are some deviations, a report had already been filed by a Committee, appointed by the Government of Andhra Pradesh, and the same is under consideration before the Government of Andhra Pradesh.

11. At present, the whole issue regarding allotment of land at the Advanced Training Institute Campus, Opposite to Sivam, Hyderabad, subject to certain conditions imposed by the Government of India, is still pending consideration. Eventually, if the matter attains the finality, as regards the allotment of land to the respondent No.1 i.e. Sri Satya Sai Trust, Andhra Pradesh, there cannot be any objection, for the simple reason that the said Trust is imparting philosophical, spiritual and social service also to the general public and devotees, as well.

12. As already pointed out and noticed, it is only the said Trust, which is the recognized and a registered body, being run under the supervision of Bhagwan Sri Satya Sai Baba.

13. It is to be further seen, in this regard, that if there is any consensus between the Government of Andhra Pradesh and the Central Government regarding the allotment of land in lieu of another suitable and agreeable land elsewhere in Hyderabad, the same can also be considered and this Court cannot interfere with the wisdom culminating into actions in this regard.

14. However, it is made clear that upon an application being made by Sri Satya Sai Trust, Andhra Pradesh i.e. the respondent No.7, for allotment of land, the Government of Andhra Pradesh and the Central Government with due consensus, for a public and

spiritual cause, feel it expedient to allot the land, the same shall, however, be only to Sri Satya Sai Trust, Andhra Pradesh, but not to any other organization.

15. It is emphasized that due care and diligence be taken and application of mind be made in considering the aspects like inconvenience that is allegedly complained by the petitioner and all the students of the Institutes situate in the Advanced Training Institute Campus, Hyderabad.

16. With the above directions, the writ petition is disposed of. However, there shall be no order as to costs.

17. Registry is directed to carryout the correct nomenclature in respect of the respondent No.7, as pointed out in paragraph No. 5 of this judgment.

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D.S.R.Varma, J.

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P.Swaroop Reddy, J.

September 29, 2006
MAS/KRK